

REMARKS

Claims 16-30 and 70-75 were previously pending in this application, of which, claims 70-75 have been withdrawn from consideration. Reconsideration of presently pending claims 16-30 is respectfully requested in light of the following comments.

Rejections under 35 U.S.C. §103

Claims 16-30 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Inoue et al. (U.S. Patent 6,167,513 hereinafter referred to as "Inoue") in view of RFC 1827 IP Encapsulating Security Payload (ESP) (hereinafter referred to as "RFC 1827"). Applicant traverses this rejection on the grounds that these reference are defective in establishing a *prima facie* case of obviousness with respect to claims 16-30.

In *KSR Int'l. Co. v. Teleflex Inc.*, 127 S. Ct. 1727, 1739 (2007), the Court stated that "a patent composed of several elements **is not proved obvious merely by demonstrating that each of its elements was, independently, known in the prior art.** Although common sense directs one to look with care at a patent application that claims as innovation the combination of two known devices according to their established functions, it can be important to identify a **reason that would have prompted a person of ordinary skill in the relevant field to combine the elements in the way the claimed new invention does.** This is so because inventions in most, if not all, instances rely upon building blocks long since uncovered, and claimed discoveries almost of necessity will be combinations of what, in some sense, is already known." *Id.* at 1741 (emphasis added).

As the PTO recognizes in MPEP § 2142:

... The examiner bears the initial burden of factually supporting any prima facie conclusion of obviousness. If the examiner does not produce a prima facie case, the applicant is under no obligation to submit evidence of nonobviousness...

It is submitted that, in the present case, the examiner has not factually supported a *prima*

facie case of obviousness for the following reasons.

Inoue cannot be applied to reject claim 19 under 35 U.S.C. § 103(a) which provides that:

A patent may not be obtained ... if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which the subject matter pertains ... (Emphasis added)

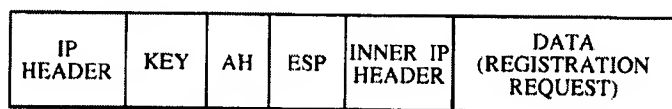
Thus, when evaluating a claim for determining obviousness, all limitations of the claim must be considered. However, Applicants respectfully submit that the Inoue, alone or in combination, does not teach the feature of “the home domain receiving and processing the registration request to generate a registration reply comprising one or more encryption keys for encrypting messages communicated between and among the mobile node, home domain, and the foreign domain.”

The Examiner indicated that such a feature is allegedly disclosed at Col. 19, lines 25-32 of Inoue. Applicants respectfully disagree. The cited passage of Inoue recites the following:

When the above described registration processing is completed (that is, a case in which the permission response is received by the exchange of the key information and the authentication data after a message indicating the refusal of the transfer is received once with respect to the registration message), the mobile computer 2 thereafter transfers the packet by attaching the authentication data between the mobile computer 2 and the gateway 4b....

From the highlighted above, it is clear that the cited passage of Inoue discloses a registration process in a situation where a first registration message was initially refused by a gateway (GW1) of a foreign network thereby requiring the mobile computer to send a key request message to the gateway (GW1). For example, a first registration request is illustrated in FIG. 7 (shown below) which corresponds to the a packet in the encryption/end-to-end authentication format.

FIG. 7



IP HEADER (KEY)

SOURCE = CARE-OF ADDRESS OF MN

DESTINATION = GLOBAL ADDRESS OF GW0

INNER IP HEADER (REGISTRATION REQUEST)

SOURCE = PRIVATE ADDRESS OF MN

DESTINATION = PRIVATE ADDRESS OF HA

Accordingly, as clearly shown in FIG. 7, the first registration request includes an IP Header, KEY (key information header), and AH (authentication header). In a case where a gateway (GW1) of a foreign network refuses to pass the first registration request outside to the gateway (GW0) of a home network, a passing refuse message is sent from the gateway (GW1) to mobile computer as shown in FIG. 8. (Inoue, Col. 17, lines 40-54). In response, the mobile computer transmits a key request message with respect to the gateway (GW1) by using the global address of the gateway (GW1) contained in the passing refuse message as shown in FIG. 9. (Inoue, Col. 17, lines 60-65). In response to the key request, the gateway (GW1) decides whether or not to give the public key to the mobile computer. When the public key of the gateway (GW1) is obtained in response to the key request, the mobile computer transmits a second registration request by attaching the authentication data by using this key as shown below in FIG. 10. (Inoue, Col. 18, lines 16-25).

FIG. 10



IP HEADER1
 SOURCE = CARE-OF ADDRESS OF MN
 DESTINATION = GLOBAL ADDRESS OF GW1
 IP HEADER2
 SOURCE = CARE-OF ADDRESS OF MN
 DESTINATION = GLOBAL ADDRESS OF GW0
 INNER IP HEADER (REGISTRATION REQUEST)
 SOURCE = PRIVATE ADDRESS OF MN
 DESTINATION = PRIVATE ADDRESS OF HA

From the above, it is clear that cited passage of Inoue (Col. 19, lines 25-32) discloses the exchange of key information (KEY1 and KEY2) and authentication data (AH) with respect to the permission response sent from the gateway (GW1) to the mobile computer in the case where the first registration request was refused to be passed along by the gateway (GW1). Accordingly, the second registration request which corresponds to a packet in the encryption/link authentication format, including KEY1 and KEY2, can be passed from the mobile computer to the gateway (GW1) of the foreign network, then from the gateway (GW1) of the foreign network to the gateway (GW0) of the home network, and finally to the home agent for processing. As such, the registration reply that is generated by the home agent can be passed to the mobile computer (that is located in the foreign network) using the same secured pathway. Nowhere in the cited passage of Inoue does it disclose the feature of "the home domain receiving and processing the registration request to generate a registration reply comprising one or more encryption keys for encrypting messages communicated between and among the mobile node, home domain, and the foreign domain," as is recited in claim 16.

Accordingly, the Examiner's burden of factually supporting a *prima facie* case of obviousness has clearly not been met, and the rejection of claim 16 under 35 U.S.C. §103(a) should be withdrawn. Dependent claims 17-30 depend from, either directly or indirectly, and further limit claim 16, and thus are allowable for at least the same reasons as set forth above in claim 16.

Conclusion

It is clear from all of the foregoing that claims 16-30 are in condition for allowance. Favorable consideration and an early indication of allowability are respectfully requested.

The Examiner is invited to call the undersigned at the below-listed number if a telephone conference would expedite or aid the prosecution and examination of this application.

Respectfully submitted,



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I hereby certify that this correspondence is being electronically filed with the U.S. Patent and Trademark Office via EFT-Web System on the date indicated below.

on: March 10, 2008

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Signature of person mailing paper and fee